IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 5336 of 2005

Between:

The Official Club, Regd.No. 558/92, Tanuku,West Godavari District,
Rep. by its Secretary, K.S.R.V. Prasad
S/o. Manga Rao, West Godavari District.

..... PETITIONER

AND

1 The Superintendent of Police, Eluru, West Godavari District,
2 The Circle Inspector of Police, Tanuku, West Godavari District.
3 The Station House Officer, Tanuku, West Godavari District.
4 The DIG of Police, Eluru Range, Eluru, West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondent authorities in interfering with the lawful activities of the petitioner's club in playing game of rummy, with stakes syndicates 13 card game as illegal, arbitrary and unconstitutional and consequently direct the respondent authorities to permit members of the petitioner's club to ply the game of rummy with stakes syndicate 13 cards as per the orders passed in W.P.No. 11256 of 2003 dt,. 27-6-2003 and to pass such other order or orders as this Hon'ble Court may deems fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.G.KRISHNA MURTHY

Counsel for the Respondents: GP FOR HOME

The Court at the stage of admission made the following :

ORDER:.

Heard both sides and at their request this case is taken up for disposal at the stage of admission.

This Writ Petition is filed seeking to declare the action of the respondents herein, in interfering with the lawful activities of the petitioners' Club as illegal, arbitrary and consequently, direct the respondents not to interfere with the lawful activities of the petitioner's Club and its members.

The grievance of the petitioner is that the respondents are interfering with the lawful activities of the petitioner's Club and causing much inconvenience and embarrassment to the esteemed members of the Club.

Having regard to the facts and circumstances and the submissions made by the learned counsel appearing for the petitioner, I deem it appropriate and expedient to dispose of the Writ Petition directing the respondents not to interfere with the lawful activities of the members of the petitioner's Club viz., playing with 13 cards rummy/stakes or in syndicate and in case, they are found to be playing any other game of skill, it shall be open to the respondents to take such action, as is open to them in law. It is also made clear that under the guise of causing inspection, the

officials or advocate-commissioners shall not be posted and the activities of the club cannot be crippled. There shall be no order as to costs.

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D.S.R. VARMA, J

DATED: 17.03.2005

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Note: Furnish copy tomorrow.

To

1 The Superintendent of Police, Eluru, West Godavari District,
2 The Circle Inspector of Police, Tanuku, West Godavari District.
3 The Station House Officer, Tanuku, West Godavari District.
4 The DIG of Police, Eluru Range, Eluru, West Godavari District.

5. 2 CCs to G.P. for Home, High Court of A.P., Hyderabad.

6. 2 CD copies.